

# **EXHIBIT D**

**Makitalo, Rebecca I.**

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**From:** Arjun Vasani <arjun.vasani@gmail.com>  
**Sent:** Monday, December 8, 2025 11:19 PM  
**To:** Winningham, Jacob R.  
**Cc:** Keech, Ryan Q.; Makitalo, Rebecca I.; Chiu, Stacey G.  
**Subject:** Re: protective order updated

**This Message Is From an External Sender**

This message came from outside your organization.

I will inform the Court that you did not provide anything until Friday and that was insufficient time to review given that I could not be expected to be available over the weekend.

On Mon, Dec 8, 2025 at 11:17 PM Winningham, Jacob R. <[Jacob.Winningham@klgates.com](mailto:Jacob.Winningham@klgates.com)> wrote:

Mr. Vasani,

The draft Stipulated Protective Order that Checkmate provided is in compliance with the model Protective Order as instructed by the Court's Order and by Judge Sagar's procedures. Given your substantial and improper revisions belatedly provided on the evening of the filing deadline, Checkmate will proceed with filing the provided draft and inform the Court accordingly. Thank you.

Best,

Jake Winningham



**Jacob Winningham**

Associate

K&L Gates LLP

Phone: 310 552-5042

[jacob.winningham@klgates.com](mailto:jacob.winningham@klgates.com)

**Makitalo, Rebecca I.**

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**From:** Arjun Vasan <arjun.vasan@gmail.com>  
**Sent:** Monday, December 8, 2025 11:17 PM  
**To:** Winningham, Jacob R.  
**Cc:** Keech, Ryan Q.; Makitalo, Rebecca I.; Chiu, Stacey G.  
**Subject:** Re: protective order updated

**This Message Is From an External Sender**

This message came from outside your organization.

I also don't think sending it at 3pm on Friday provides any actual time to review. I was traveling until this afternoon.

On Mon, Dec 8, 2025 at 11:10 PM Arjun Vasan <[arjun.vasan@gmail.com](mailto:arjun.vasan@gmail.com)> wrote:

I am not amenable to a protective order that only protects Checkmate's corporate interests, but not personal interests of myself and non-parties. It would be better to have none at all.

On Mon, Dec 8, 2025 at 11:07 PM Arjun Vasan <[arjun.vasan@gmail.com](mailto:arjun.vasan@gmail.com)> wrote:

What specifically are you objecting to?

On Mon, Dec 8, 2025 at 10:33 PM Winningham, Jacob R. <[Jacob.Winningham@klgates.com](mailto:Jacob.Winningham@klgates.com)> wrote:

Mr. Vasan,

I am writing to follow up on my earlier correspondence. The filing deadline for the Protective Order is approaching. Please let us know if you are amenable to the attached, originally-sent draft of the Protective Order. Thank you.

Best,

Jake Winningham

**K&L GATES**

**Jacob Winningham**

Associate

K&L Gates LLP

Phone: 310 552-5042

[jacob.winningham@klgates.com](mailto:jacob.winningham@klgates.com)

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**From:** Winningham, Jacob R.

**Sent:** Monday, December 8, 2025 8:10 PM

**To:** Arjun Vasan <[arjun.vasan@gmail.com](mailto:arjun.vasan@gmail.com)>

**Cc:** Keech, Ryan Q. <[Ryan.Keech@klgates.com](mailto:Ryan.Keech@klgates.com)>; Makitalo, Rebecca I. <[Rebecca.Makitalo@klgates.com](mailto:Rebecca.Makitalo@klgates.com)>; Chiu, Stacey G. <[Stacey.Chiu@klgates.com](mailto:Stacey.Chiu@klgates.com)>

**Subject:** RE: protective order updated

Mr. Vasan,

As an initial matter, despite our transmitting the Draft Stipulated Protective Order to you on Friday specifically to facilitate today's timely filing, you did not return any edits until approximately 5:30 p.m. – at the eleventh hour and introducing significant changes. Further, your proposed revisions constitute an overreaching and indiscriminate protective order that is both unsupported and impractical in application. Federal Rule of Civil Procedure 26(c) requires a showing of specific harm or prejudice to justify such restrictions. Courts consistently reject such blanket protective orders that fail to meet this standard. Moreover, your significant edits run afoul of the purpose of a Protective Order (not to mention Judge Sagar's clear admonition that "[a]bsent unusual circumstances, parties shall prepare their protective orders based on the model protective order"). Checkmate rejects all significant proposed changes and additions to Judge Sagar's model Protective Order and proposes that the parties submit the originally-sent version, which is again attached hereto.

Best,

Jake Winningham

**K&L GATES**

**Jacob Winningham**

Associate

K&L Gates LLP

Phone: 310 552-5042

[jacob.winningham@klgates.com](mailto:jacob.winningham@klgates.com)

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**From:** Arjun Vasani <[arjun.vasani@gmail.com](mailto:arjun.vasani@gmail.com)>

**Sent:** Monday, December 8, 2025 5:24 PM

**To:** Makitalo, Rebecca I. <[Rebecca.Makitalo@klgates.com](mailto:Rebecca.Makitalo@klgates.com)>; Winningham, Jacob R. <[Jacob.Winningham@klgates.com](mailto:Jacob.Winningham@klgates.com)>; Keech, Ryan Q. <[Ryan.Keech@klgates.com](mailto:Ryan.Keech@klgates.com)>; Chiu, Stacey G. <[Stacey.Chiu@klgates.com](mailto:Stacey.Chiu@klgates.com)>

**Subject:** protective order updated

Attached.

Best,

Arjun Vasani

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